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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/507,335

09/10/2004

Frithiof Jensen

P15230-US1

2856

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7590

06/04/2008

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EXAMINER

GARY, ERIKA A

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

06/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/507,335	Applicant(s) JENSEN, FRITHIOF	
	Examiner Erika A. Gary	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 18-20, 24-26, 30, and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Arrow et al., US Patent Number 6,226,751 (hereinafter Arrow).

Regarding claims 18 and 24, Arrow discloses a method of coding data in a data package in a data stream, said data package containing information on a source of origin and a destination for the data package, wherein the coding takes place in a coding system containing a plurality of coding algorithms, wherein: an identification system attaches information to the data package, said information being provided from said information on the source of origin of the data package and its destination; the coding system utilizes said attached information to select one of said plurality of coding algorithms; and the coding system codes said data according to the selected coding algorithm [col. 5: lines 14-20; col. 7: lines 16-45, 65-67; col. 10: lines 26-30].

Regarding claims 19 and 25, Arrow discloses said data package is formed by an Internet protocol [col. 6: lines 44-48].

Regarding claims 20 and 26, Arrow discloses the source of origin and the destination comprise Internet protocol addresses [col. 7: lines 16-17; col. 11: lines 13-14].

Regarding claim 30, Arrow discloses means for indexing a coding algorithm from an identification mark [col. 7: lines 16-45].

Regarding claim 31, Arrow suggests the circuit comprises a digital signal processor [col. 5: lines 14-20; col. 10: lines 26-30; it is inherent for circuits to comprise a digital signal processor].

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 21-23 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arrow.

Regarding claims 21-23 and 27-29, Arrow does not specifically disclose that the coding algorithm is of a type which can be coded in a GSM, UMTS, or PSTN system. However, the Examiner takes Official Notice that it is well known in the art to use coding algorithms in various communication systems, including GSM, UMTS, or PSTN. At the time of the invention, it would have been obvious to one of ordinary skill in the art to

modify Arrow to include this feature. The motivation for this modification would have been a matter of design choice for the type of communication system used.

Response to Arguments

5. Applicant's arguments with respect to claims 18-31 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Aziz et al., US Patent Application Publication Number 2003/0037235, disclose a system for signatureless transmission and reception of data packets between computer networks.

Houh, US Patent Application Publication Number 2002/0016937, discloses a method and apparatus for utilizing a network processor as part of a test system.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika A. Gary whose telephone number is 571-272-7841. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on 571-272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/EAG/

June 1, 2008

/Erika A. Gary/

Primary Examiner, Art Unit 2617